

**Regular Session Minutes – Selectmen’s Meeting**  
**Selectmen’s Meeting Room, Town Hall**  
**Monday, September 19, 2016, 7:30 p.m.**

**PRESENT:** Michael A. Rosenberg, Chair; Mark Siegenthaler; William S. Moonan; Margot R. Fleischman; Caroline Fedele and Town Manager Richard T. Reed

**ALSO PRESENT:** Assistant Town Manager Michael Rosen; Town Engineer Adrienne St. John; Finance Committee Chair Stephen Steele; Bedford Firefighter Mark Daly; Planning Board members Amy Lloyd and Jeff Cohen; Cathy Cordes; James Shea; JJ Limo owner Jovanny Colon; Finance Director Victor Garofalo; Transportation Advisory Committee candidate Dr. Peter Bernhardt; Press Representative Debra Parkhurst; Bedford Television representative Nick Giglio

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**Chair Rosenberg called the meeting to order at 7:30 p.m.**

**17-51                      Committee Appointment Interview**  
**Transportation Advisory Committee**

As the Selectmen liaison to the Transportation Advisory Committee (TAC), Ms. Fleischman outlined that TAC acts in an advisory role to the Selectmen. The Committee is concerned with all modes of transportation, Town infrastructure and connectivity. Ms. Fleischman noted that TAC plays an important role in implementing the Complete Streets Policy for Bedford and recently assisted in the Bicycle/Pedestrian Master Plan.

Chair Rosenberg asked Dr. Peter Bernhardt to explain his interest in TAC. Dr. Bernhardt stated that his family moved to Bedford three years ago. They chose Bedford for its small town feel and are happy to live here. Dr. Bernhardt lives in West Bedford which is quieter and less densely populated. However the traffic on Great Road is of concern to him and sparked his interest in serving on the TAC.

At this time, Mr. Siegenthaler explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. Mr. Siegenthaler encouraged the interviewee to consider taking on a leadership role as chair in the future.

**Ms. Fleischman made a motion to appoint Peter Bernhardt to the Transportation Advisory Committee with a term ending June 30, 2017. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

**17-52                                      Conduct of Passengers License Application  
                                                         JJ Limo Service, Bedford, MA**

Jovanny Colon came before the Selectmen to ask for a Conduct of Passengers license. Mr. Colon lives in Bedford and works with his brother-in-law who resides in Maynard. The company services Bedford and the surrounding communities. Since there are only two employees currently, Mr. Colon wishes to keep the business small. They are working with local hotels to get generate business.

**Mr. Siegenthaler moved that the Selectmen approve the Conduct of Passengers License for JJ Limo Service. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

**17-53                                      Contract Award  
                                                         Variable Frequency Drive Replacement at Main Sewer  
                                                         Station  
                                                         Weston and Sampson – Peabody, MA**

Town Engineer Adrienne St. John outlined a proposal to replace the Variable Frequency Drives (VFD) at the Main Sewer Station. Ms. St. John stated that the VFD's allow the pumps to keep pace with the incoming flow to the station to avoid starts and stops during high and low periods. The existing units were installed in the early 1990's. Ms. St. John noted that the alarm components of the VFD's have failed and the parts are no longer available for purchase. Weston and Sampson would design, furnish, install and calibrate the new VFD control panel. One of the 250 horsepower (hp) pumps will be replaced with a 125 hp pump so that in summer low flows, only the new pump will be needed. Ms. St. John concluded by saying the smaller pump is more energy efficient and eligible for a rebate under the Green Communities program. The other VFD's will be procured through a RFQ under a separate contract.

**Mr. Moonan made a motion to approve the contract with Weston and Sampson to replace the Variable Frequency Drives at the Main Sewer Station in the amount of \$89,650. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

**17-54                                      Contract Award  
                                                         Great Road Zoning Study  
                                                         RKG Associates, Inc. - Boston, MA**

Town Manager Richard Reed presented the Selectmen with a proposed contract with RKG Associates in conjunction with the Great Road Zoning Study. At Annual Town Meeting, \$120,000 was appropriated for this study. The Town received two proposals: one from MAPC and one from RKG Associates. Upon review of the proposals, it was determined that RKG's proposal was deemed 'highly advantageous.' Both firms submitted quotes for \$119,000. Mr. Reed recommended that the Selectmen award the contract for the Great Road Zoning Study to RKG Associates.

Planning Board member Amy Lloyd stated that both companies were highly skilled and had prior experience with a study of this magnitude. However, RKG's proposal was more thorough and offered more insight into the challenges facing the Town.

Planning Board Chair Jeff Cohen added that an ad hoc committee would be formed to assist with the initiative. The ultimate goal is to rewrite zoning bylaws for the business district along the corridor and encourage new business to come to Bedford.

**Ms. Fleischman moved that the Selectmen approve the contract for consulting services with RKG for the Great Road Zoning project in the amount of \$119,000. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

**17-55                      Massachusetts School Building Authority Application for the Additions on the Davis School and John Glen Middle School Approval**

The Selectmen were presented with two Statements of Interest (SOI) to sign for the Davis and John Glenn Middle School building projects. The SOI's needed to be resubmitted to the Massachusetts School Building Authority.

**Mr. Moonan made the following motion:** Having convened in an open meeting on September 19, 2016 prior to the closing date, the Selectmen of the Town of Bedford, MA, in accordance with its charter and by-laws, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 31, 2016 for the Lt. Eleazer Davis Elementary School, located at 410 Davis Road, Bedford, MA, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to address:

- (2) Elimination of existing severe overcrowding,*
- (4) Prevention of severe overcrowding expected to result from increased enrollments, and*
- (7) Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements,*

hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town School District to filing an application for funding with the Massachusetts School Building Authority. **Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

**Ms. Fedele made the following motion:** Having convened in an open meeting on September 19, 2016, prior to the closing date, the Selectmen of the Town of Bedford, MA,

in accordance with its charter and by-laws, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 23, 2015 for the John Glenn Middle School, located at 99 McMahon Rd., Bedford, MA, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to address:

*(4) Prevention of severe overcrowding expected to result from increased enrollments, and  
(7) addition to building in order to provide for a full range of programs consistent with state and approved local requirements*

hereby further specifically acknowledge that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town School District to filing an application for funding with the Massachusetts School Building Authority. **Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

#### **17-56                      Flag Lowering Policy for Town Buildings and Grounds Approval**

Mr. Reed informed the Selectmen that there is no written policy for lowering the flag. The proposed policy would be in keeping with the Town's current practices which are:

##### **For Town Elected Officials**

The flags on Town buildings and grounds will be lowered in the event of a current or former Town Elected Official's death for three (3) days after the death or for three (3) days before the funeral or memorial service.

##### **For Town Employees**

In the event of the death of a current or former Town employee, the flag at the building associated with the department where that employee worked may be lowered for up to three (3) days after the death or for up to three (3) days before the funeral or memorial service.

##### **Governor's Orders**

All flags at Town buildings and grounds will be lowered in compliance with any Governor's order to lower flags state-wide.

**Mr. Moonan made a motion to adopt the Town of Bedford Selectmen policy regarding Lowering of Flags. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

**17-57                                      November 9, 2016 Special Town Meeting  
Review of Draft Warrant**

Before reviewing the Draft Warrant for Special Town Meeting, Mr. Reed presented the Selectmen with a Petitioner's Article that was received earlier in the day. The original petition has been submitted to the Town Clerk's office to verify that all signers are registered voters. Mr. Reed noted that the Petitioner's Article had the requisite number of signatures. Although there will be further review of the Petitioner's Article it is likely to be added to the Special Town Meeting Warrant. Mr. Reed explained that the Article is seeking acceptance of a provision in Massachusetts General Law outlined in Chapter 33, Section 59: Effective Military Leave on Salary/Seniority and Leave Allowance of Public Employees. Mr. Reed said that if this section is approved at Town Meeting then a municipal employee would be entitled to the benefits and protections of this section. Mr. Reed concluded by saying more review needed to be done by his office as well as by the Finance Committee.

Bedford Firefighter and current Union President Mark Daly addressed the Selectmen. Mr. Daly stated that the current Town policy will pay an employee their base pay minus their military pay for up to 17 days. This covers mostly weekend reservists. This Article is seeking to pay employees who are deployed for the length of their deployment up to two years. Currently there are eight Town employees on active reserve and one who is deployed.

Mr. Reed gave a brief overview of the articles on the Warrant:

**Article 1 - Debate Rules** – This article discusses the procedures for Special Town Meeting.

**Article 2 - Establish Special Revenue Account for PEG Access and Cable Related Funds** – This article is concerned with establishing a new special review account for PEG access and Cable TV related funds. The Department of Revenue recently stated that there should be only two ways to deal with receiving and spending PEG funds. One is to create a special revenue account. The other is to establish an Enterprise fund. This article would adopt the first option.

**Article 3 - Zoning Bylaw Amendment- Temporary Moratorium, Medical Marijuana Treatment Centers** - This moratorium is intended to provide restrictions that will allow the Town time to consider whether or not to allow medical marijuana facilities to operate in Bedford.

The next articles, four-seven, are concerned with Zoning Bylaw Amendments. Mr. Cohen stated that the Planning Board recommended approval of all articles.

**Article 8 - Compensation for Employees Serving in Armed Forces or Reserves**- This article was discussed previously.

**Article 9 - Land Acquisition for Plank Street** – There is a parcel of land that is a street. This was owned by Esquire Development Corporation. This company is no longer in existence. This article looks to make this parcel of land Town owned by eminent domain.

**Article 10 - Community Preservation Surcharge Effective July 1, 2017** – This article is confirmation that the Town will continue to levy the 3% surcharge on property taxes in Fiscal Year 2018. Approval of this article will help Town committees and boards to plan their budgets for the coming fiscal year.

**Article 11 - Amend FY 2017 Community Preservation Budget** – The Community Preservation Committee will be meeting on September 28, 2016 to discuss any amendments to the FY 2017 Community Preservation Budget. Mr. Reed will have the final numbers and recommendations at the October 3<sup>rd</sup> Selectmen's Meeting.

**Article 12 - Amend FY 2017 Operating Budget** – Finance Director Victor Garofalo stated that the Selectmen, Police and Public Works budgets would be amended. Mr. Reed explained that the article is generally worded and the final figures will be presented at Special Town Meeting.

Article 13 and 14 will be discussed during Executive Session later in the evening.

**Article 15 - Stabilization Fund Appropriation** – This is currently a placeholder with no specific dollar amount. It will be determined at a later date if an appropriation will be made to the Stabilization Fund.

**17-58                      Minutes**  
**Regular Session Minutes – September 6, 2016**

**Ms. Fleischman made a motion to approve the Regular Session Minutes of September 6, 2016 as amended. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**17-59                      Town Manager's Report**

Mr. Reed noted that the Expanded Local Transit Service had an average of 5 users per day during its first week of service. The DASH van was in the Bedford Day Parade and there was a great deal of interest among Town residents in the service. Mr. Reed is hoping for an increased ridership in the coming weeks.

**17-60                      Open Discussion and Selectmen Liaison Reports**

Mr. Moonan noted that he attended the Finance Committee's meeting on September 15<sup>th</sup>. They discussed whether or not to include the \$3 million of revenue in the tax levy.

Mr. Moonan also stated that the Bedford TV contract will be up for renewal at the end of year. Because of the pending article on the Warrant pertaining to establishing a new

revenue account for PEG Access and Cable Television, Bedford TV will need to develop a budget for fiscal year 2018. They would like to come to the next Selectmen Meeting on October 3<sup>rd</sup>.

**Mr. Siegenthaler made a motion to adjourn into Executive Session and to not return to Regular Session. Mr. Moonan seconded the motion.**

**The Selectmen were polled individually: Moonan, aye, Siegenthaler, aye, Fleischman, aye, Rosenberg, aye and Fedele, aye.**

**The motion passed 5-0-0.**

The meeting adjourned at 9:10 p.m.